

## REMARKS

In view of the above amendments and following remarks, reconsideration of the rejections contained in the Office Action of November 1, 2005 is respectfully requested.

The Examiner's rejection claims 44-48 has been rendered moot by the above amendments to the claims. The claims now reference the diameter of the polishing table to the diameter of the lower surface of the substrate carrier.

As can be seen, for example, from Fig. 4, the substrate carrier carrying the wafer W has a lower surface that is substantially the same size as the wafer. Accordingly, these new claim limitations clearly do not represent new matter, but simply represent a different way of presenting the same limitation as previously presented. The specification has been amended to ensure literal correspondence between the specification and claims.

Accordingly, it may be seen that the Examiner's rejection of claims 44-48 has been rendered moot by the above amendments.

The Examiner further rejected claims 36-43 as being unpatentable over Lenkersdorfer U.S. 6,213,844 in view of Watanabe et al. and Osterheld. Lenkersdorfer was considered to disclose the majority of the limitations of the claims, with Osterheld being cited for the proposition of a water nozzle for rinsing the pad and Watanabe cited for the proposition of controlling the attitude of the top ring.

In response to Applicants' previous arguments, the Examiner noted that Lenkersdorfer was considered to include structure and elements capable of performing the recited functions in the claims. However, contrary to the position of the Examiner, it is respectfully submitted that the claims, particularly as now amended, clearly set forth structural aspects that are not found in the cited references.

That is, the polishing position recited in the claims is a structural aspect of the claims. The claims now recite that the substrate carrier is positioned such that a portion of the lower surface of the substrate carrier extends radially outwardly of the outer peripheral portion of the polishing table in the polishing position. Further, the thickness measurement device, recited as being positioned at the outer peripheral portion of the polishing table so as to be positioned below the substrate carrier,

is recited as doing so when the substrate is in the polishing position. These structural aspects of the claim are recited in a structural form and not as functional expressions. As such, they clearly distinguish over Lenkersdorfer and the secondary references cited by the Examiner.

Thus, the positional relationship between the substrate carrier, the polishing table and the thickness measurement device in the polishing position is defined. With such arrangement, because the polishing of the substrate can be performed while maintaining the substrate under an overhanging condition, or partially extending the substrate outwardly of the outer peripheral portion of the polishing table, it is possible to reduce the diameter of the turntable and thus reduce the size of the polishing apparatus. This advantage has been previously discussed, we note.

Further, because the thickness measurement device is arranged as recited in each of the independent claims, the thickness measurement can be performed during polishing of the substrate. Thus, a real time measurement can be performed that considerably reduces the time and operation that is required in the polishing apparatus.

As has been previously explained, such aspects are not disclosed or suggested by any of Lenkersdorfer, Watanabe or Osterheld.

Furthermore, claims 44, 47 and 48 further distinguish over the references cited by the Examiner by reciting that the diameter of the polishing table is no more than substantially one and a half times the diameter of the lower surface of the substrate carrier. This aspect has been discussed above. This further clearly distinguishes over each of the references cited by the Examiner.

From the above, it is respectfully submitted that the above amendments clearly serve to place the application into condition for allowance. As such, entry of the above amendments is submitted to be in order. Accordingly, entry of such amendments and allowance of the application as a whole is respectfully requested.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance, and the Examiner is requested to pass the case to issue. If the Examiner should have any comments or suggestions to help speed the prosecution of this application, the Examiner is requested to contact Applicants' undersigned representative.

Respectfully submitted,

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